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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/225,208 01/04/99 TOGAWA

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EXAMINER

POINVIL.F

ART UNIT

PAPER NUMBER

2768

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
09/225,208

Applicant(s)

TOGAWA ET AL.

Examiner

Frantzy Poinvil

Group Art Unit  
2768



☒ Responsive to communication(s) filed on Mar 2, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 1-18 and 25-32 is/are pending in the application

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-18 and 25-32 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-18 and 25-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fargher et al.

As per claims 1, 27 and 30, dividing works, jobs, tasks and resources among groups of workers in an organization or assembly line is routinely done. Fargher et al discloses a production planning system and method for managing resources among group of workers that carry out jobs using computers. The system comprises a plurality group of resources whereby each resource group has an associated set of processing capabilities which every member of the group is able to perform. Fargher et al states that "Since a single semiconductor manufacturing machine may perform several different processes, a machine may be a member of several different resource groups". Note column 7, lines 19-33. Similarly a worker is a resource and possesses several skills and may be a member of more than one group of workers. Fargher et al further discusses determining usage of resources in a multitask, multi-resource environment is well known in the art

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note also column 7, lines 19-33 of Fargher et al. Thus, permission must be obtained by one group before using a resource of another group. A first group inhibiting access to a resource thereof from another group to which permission to use the resources of the first group is not allocated would have been obvious to the skilled artisan in order to avoid conflict and also to meet production deadlines. Fargher et al further discloses checking the status of various resources such as machines or operators. Note column 5, lines 6-13. Fargher et al also discloses a scheduler for tracking work in process and for tracking and directing the flow of work product through the factory. Note column 5, lines 27-35 and column 6, lines 15-27 of Fargher et al. Since there are group of workers (column 5, lines 29-36), the scheduler scheduling the jobs of each group according to a procedure specific to the group and information provided by the job monitor would have been obvious to the skilled artisan so that resources are not underutilized or overutilized (Fargher et al at column 9, lines 40-50) and also for meeting production goals..

As per claims 2, 28-29 and 31-32, storing a job definition form containing previously defined information indicating rights to use the resources would have been obvious to the skilled artisan whenever a task requires the use of a particular resource.. Having a resource manager, a job monitor and the scheduler exchanging the rights to use the resources among the groups according to the job definition form would have been obvious to the skilled artisan with the motivation of avoiding conflict among the groups and also to maximize production of items produced at the factory.

As per claim 3, applicant is directed to column 9, line 40 to column 10, line 46.

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As per claim 4, Fargher et al does not disclose an emergency group being allowed to access every resource of every group and the job monitor accepting any request from the emergency group for accessing a resource. Such would have been obvious to the skilled artisan because it is well known in the art that a manager or supervisor has the authority to access any resource at any given time whenever such is necessary for the advantage of the organization.

As per claim 5, adjusting a schedule or transferring resources from one group to another group are suggested by Fargher et al. Note column 5, lines 16 to column 6, line 67. Note also the replanning, the what ifs scenarios and the dynamic release plan which are updated in response to machine failure.

As per claims 6-9, 25 and 26, having a requesting unit such as a telephone, computer, notebook, a pager, visual Input/Output devices such as a television camera, a sensor and transmitter and the audio I/O unit being a microphone such that when a first group makes a request to use a resource of a second group, requesting the second group for permission to use the resource would have been obvious to the skilled artisan as these communication devices are routinely used for various desired purposes.

As per claims 10 and 16, having an input device attached to a selected member of the second group for identifying and locating the member or a positioning unit for generating an image of the selected member when requesting permission to use a resource or a virtual reality device attached to the selected member to identify the location of the member would have been obvious to the skilled artisan for security purposes.

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As per claims 11-15, the job monitor unit performing these claimed functions would have been obvious to the skilled artisan because changes, replanning and the transferred of resources and/or workers among different group of workers and/or different resource groups are made. Allocating a representative name to a set of resources and identically for handling the resources under a representative name of a given group would have been obvious to the skilled artisan in order to identify a member who assumes responsibility for the resources when all conditions are confirmed.

As per claim 17, the input device being a head-mount display worn by a selected member so that the member may give permission to use the resource would have been obvious to the skilled artisan for identifying the member with the factory thereby providing some security measures in the factory system.

As per claim 18, providing at least a password or an ID to prevent illegal access to the input device would have been obvious to the skilled artisan for the simple reason of preventing illegal access of the device.

3.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil, whose telephone number is (703) 305-9779. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

The fax phone number for this Art Unit is (703) 305-0040.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

FP

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A handwritten signature in black ink, appearing to read 'F Poinvil', with a stylized, flowing script.

**Frantzy Poinvil**  
**Primary Examiner**  
**Art Unit 2768**